

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH NORTON and KENDALE
FARMS,

Plaintiffs,

v.

Case Number 10-15104
Honorable David M. Lawson

RICHARD P. ZUBKOFF, THOMAS
LICKTEIG, and MOWTEQ, LLC,

Defendants.

**STIPULATED ORDER FOR ENTRY OF JUDGMENT
AGAINST DEFENDANT THOMAS LICKTEIG ONLY**

On June 26, 2012, the Court granted summary judgment in favor of the plaintiffs and against defendant Thomas Lickteig on the plaintiffs' claims for fraud, negligent representation, detrimental reliance, and negligent concealment. Plaintiffs Kenneth Norton and Kendale Farms, and defendant Thomas Lickteig, have stipulated to the entry of a judgment in the amount of \$747,000 against defendant Lickteig only.

Federal Rule of Civil Procedure 54(b) provides that "[w]hen an action presents more than one claim for relief . . . , the court may direct entry of a final judgment as to one or more, but fewer than all, claims . . . only if the court expressly determines that there is no just reason for delay." The rule imposes two requirements before judgment may be entered on less than all claims: 1) the decision must "entirely resolve[]" an individual claim, and 2) there must be "no just reason for delay." *Lowery v. Fed. Express Corp.*, 426 F.3d 817, 821 (6th Cir. 2005). The Court's order granting in part the plaintiffs' motion for summary judgment entirely resolved the plaintiffs' claims for fraud, negligent representation, detrimental reliance, and negligent concealment as to defendant

Lickteig. The parties have informed the Court that they are close to resolving all of the remaining claims, and the Court finds that there is no just reason for delay in entering judgment against defendant Lickteig. The Court therefore will order that a judgment shall enter in favor of the plaintiffs against defendant Thomas Lickteig in the amount of \$747,000.

Accordingly, pursuant to the stipulation of plaintiffs Kenneth Norton and Kendale Farms, and defendant Thomas Lickteig [dkt. #58], it is **ORDERED** that a judgment shall enter in favor of the plaintiffs against defendant Thomas Lickteig in the amount of \$747,000.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: December 20, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 20, 2012.

s/Deborah R. Tofil
DEBORAH R. TOFIL